

ESTTA Tracking number: **ESTTA683169**

Filing date: **07/13/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91222042
Party	Plaintiff THE HUNDREDS IS HUGE, INC.
Correspondence Address	Jorge Arciniega McDermott Will & Emery LLP 2049 Century Park East, Suite 3800 Los Angeles, CA 90067-3218 UNITED STATES jarciniega@mwe.com, ehourizadeh@mwe.com
Submission	Motion for Default Judgment
Filer's Name	Ellie Hourizadeh
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Signature	/s/
Date	07/13/2015
Attachments	Notice of default.pdf(10667 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

THE HUNDREDS IS HUGE, INC.,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91222042
)	
BIG CITY FASHIONS INC.,)	
)	
Applicant.)	

RE: Application No. 86430460
MARK: ALL HUNDREDS
Filed: October 21, 2014
Publication Date: March 24, 2015

REQUEST FOR NOTICE OF DEFAULT

The Hundreds is Huge, Inc., (“Opposer”), by and through its attorneys, hereby requests the Board to issue a notice of default against Big City Fashions Inc. (“Applicant”) for failure to file a timely response to the Notice of Opposition.

The grounds for the request for a notice of default are as follows:

1. On May 21, 2015, Opposer filed a Notice of Opposition to Application No. 86430460 for the word mark ALL HUNDREDS (“Mark”) on the grounds of (i) priority and likelihood of confusion and (ii) dilution.
2. Applicant’s response to the Notice of Opposition was due on June 30, 2015. Applicant did not file a response on or before June 30, 2015. Applicant has failed to file any response to the Notice of Opposition. Applicant has also failed to respond to Opposer’s letter to try to resolve this matter amicably.
3. No extension of time was granted to Applicant to file a response to the Notice of Opposition.

4. No good cause exists for Applicant's failure to file a response to the Notice of Opposition.

5. Accordingly, a notice of default should be entered against Applicant for its failure to file a timely response to the Notice of Opposition. See 37 CFR §2.106(a) and 2.114(a); Fed. R. Civ. P. 55(a), 55(b) and 55(c).

The requisite filing fee prescribed by 37 C.F.R. § 2.6(a)(17) should be charged to Deposit Account No. 501946. If there are any additional fees due in connection with this Request for Notice of Default, they should also be charged to Deposit Account No. 501946, and any excess fees should be credited to same. All correspondence relating to this matter should be directed to the undersigned attorneys for Petitioner.

All correspondence relating to this matter should be directed to the undersigned attorneys for Opposer.

Respectfully submitted,

Dated: July 13, 2015

By: /s/
Ellie Hourizadeh
Attorneys for Opposer,
The Hundreds is Huge, Inc.

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Telephone: (310) 551-9321
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CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing REQUEST FOR NOTICE OF DEFAULT upon Applicant by depositing one copy thereof via First Class Mail, in the United States mail, postage prepaid, on **July 13, 2015** addressed as follows:

Carl Virgin
President
Big City Fashions, Inc.
7456 S. Cottage Gove Ave
Chicago, IL 60619

By: _____/s/_____
Ellie Hourizadeh
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Attorneys for Opposer,
The Hundreds is Huge, Inc.